

REMARKS

In the Office Action¹, the Examiner rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,714,797 to Rautila ("*Rautila*") in view of U.S. Patent No. 4,300,040 to Gould et al. ("*Gould*") and alternatively, as unpatentable over *Rautila* in view of U.S. Patent No. 5,918,213 to Bernard et al. ("*Bernard*"). By this Amendment, Applicants amend claims 1-5.

Applicants respectfully traverse the rejection of claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over *Rautila* in view of *Gould*, and alternatively over *Rautila* in view of *Bernard*. Even if combinable as suggested by the Examiner, both combinations fail to teach or suggest each and every element of claims 1-5.

For example, amended claim 1 recites an electronic content providing method, comprising, among other things, the step of:

acquiring an identification code for individually identifying electronic content retrieved from among the available electronic contents by using said remote user terminal linked via a network to a server in which the available electronic contents are recorded.

According to the Examiner, *Rautila* discloses, at col. 6, lines 35-40 and col. 8, lines 31-37, acquiring an identification code for identifying an electronic content retrieved from among the available electronic contents by using said user terminal linked via a network to a server in which the available electronic contents are recorded (Office Action at pp. 2-3). Applicants respectfully disagree.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Rautila, at col. 6, lines 35-40, discloses that, whether a user decides to have an electronic product downloaded at a hotspot network location or via the cellular phone capability of the mobile station, a unique order number is transmitted to the mobile station by the electronic shop server. At col. 8, lines 31-37, *Rautila* also discloses that whether the user selects to download the digital product at a hotspot network location or via cellular transmission, the user then receives a unique order number. According to *Rautila*, then the operation processing of the order/location module terminates.

While *Rautila* discloses transmitting a unique order number to initiate content downloading, *Rautila* does not disclose the claimed electronic content providing method. In particular, because the unique order number in *Rautila*, at col. 9, lines 60-61, corresponds to the mobile device, *Rautila* does not disclose an identification code for individually identifying electronic content retrieved from among the available electronic contents.

Gould also fails to disclose the claimed electronic content providing method. According to the Examiner, *Gould* discloses that after inputting code representing the selected content, the user can view a preview of the selected content prior to purchasing the selected content (Office Action at p. 3). The numerical code in *Gould*, at col. 2, lines 33-35, represents selected videocassette program material in a previewing station.

Because the numerical code in *Gould* is entered by a customer at a terminal previewing station, *Gould* also fails to disclose acquiring an identification code for individually identifying electronic content retrieved from among the available electronic

contents by using a remote user terminal linked via a network to a server in which the available electronic contents are recorded.

Bernard also fails to disclose the claimed electronic content providing method. According to the Examiner, *Bernard* discloses, at col. 3, lines 8-41, product samples, such as movie previews, sample cuts from music tracks, software demo, and the like, provided to the customer so the customer can evaluate the product prior to purchasing (Office Action at p. 5). While *Bernard* discloses allowing users to shop for and purchase products via a remote communication medium, *Bernard* fails to disclose the claimed step of acquiring an identification code for individually identifying electronic content retrieved from among the available electronic contents.

Rautila, Gould, and Bernard, even if combined as argued by the Examiner, thus do not disclose each and every element of the electronic content providing method in claim 1. For at least these reasons, Applicants respectfully request that the Examiner withdraw the rejections of claim 1 under 35 U.S.C. § 103(a).

Independent claims 2-5, although of different scope, recite similar features. Therefore, these claims are allowable for at least the same reasons that independent claim 1 is allowable.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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